

AN ORDINANCE TO RESTRICT DOG AND MOTOR VEHICLE  
ACCESS TO TOWN PROPERTIES

WHEREAS, the Town of Silverton stages various programs, special events, and recreational activities within the confines of the town parks and said programs, events, and activities and persons attending the same are adversely affected and endangered by the presence of dogs and motorized vehicles outside areas specifically designated for occupancy by dogs or the operation of motor vehicles;

WHEREAS, as a matter of public health and safety and as a matter of protecting the general public welfare by preventing degradation of public properties, it is necessary and proper to restrict the use of public properties to those uses which are not detrimental to the public interest in the ownership, management, and use of Town properties;

WHEREAS, the Board of Trustees of the Town of Silverton, State of Colorado, a body politic and corporate, has the authority pursuant to Section 31-15-702 C.R.S. to regulate the use of public grounds;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO:

1. Section 6-2-18 (e) of the Town Code shall be amended to read: "Snowmobiles may be operated on properties owned by the Town of Silverton except as may be specifically prohibited by posting or regulation by the Town Administrator or as may be deemed necessary by Town personnel to the proper operation and maintenance of the subject property."
2. Section 11-4-7 of the Town Code shall be amended to read:  
"Animals in Public Parks
  - A. Livestock in Public Parks

It shall be unlawful for any person, not holding a valid special use permit issued by the town's administration office, to ride, lead, tether, or graze any horse, mule, sheep, or other livestock in any public park, recreation area, or cemetery, and such offense shall be punishable in the same manner as any other Town Ordinance. The Town Administration Office is authorized to issue special use permits, after payment of a special use permit fee as established by resolution of the Town Board, to allow horses in any public park, recreation area, or cemetery, provided the following conditions are met:

    - a. The permit is issued for a special occasion (i.e. wedding, anniversary, etc.);
    - b. No more than five (5) horses are allowed at any time, and the horses are confined to established pathways;
    - c. The horses are diapered to prevent manure deposits, or the permit holder posts a one hundred dollar (\$100) cash bond, in addition to all other required deposits, with

the Town. The cash bond will be refunded if the horses do not travel off established pathways, there is no damage to the park or recreation area by the horses, and the area is cleaned of any and all manure within four (4) hours after the horses exit the park, recreation area, or cemetery.

B. Dogs in Public Parks


It shall be unlawful for any person, to allow dogs to occupy, whether leashed or unleashed, areas of public parks from which dogs are restricted by posting or regulation. The Town Administrator may authorize persons in writing to bring their dogs within any restricted area in conjunction with special events which involve the use of dogs as part of the event. This section shall not apply to persons who due to some visual, medical impairment need the assistance of a trained dog for their well being."

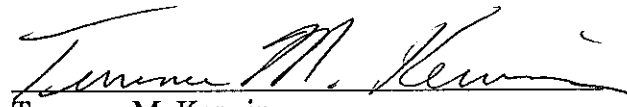
3. The penalty for violation of this ordinance shall be the strictest or most costly as provided for by any applicable provision of state or local law, regulation, or code.
4. This Ordinance is adopted on a special emergency basis in order to preserve the public peace, health, and safety. This Ordinance is necessary due to the opening of the Kendall Mountain Recreation Area ski lift and the potential danger the presence of dogs and snowmobiles present to the health, safety, and welfare of persons visiting and using the recreation area.

ADOPTED this 25<sup>th</sup> day of JANUARY, 1999.

ATTEST:

TOWN OF SILVERTON

  
Claudia J. Moe  
Town Clerk-Treasurer

  
Terrence M. Kerwin  
Mayor